

Prob 12C  
(6/19)

UNITED STATES DISTRICT COURT  
for the District of Maine  
**Petition for Warrant or Summons for Offender under Supervision**

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**Name of Offender:** Kevin Murphy a/k/a  
Kevin Whitford

**Case Number:** 0100 2:08CR00119

**Sentencing Judicial Officer:** Honorable George Z. Singal, U.S. District Judge

**Date of Original Sentence:** April 13, 2009

**Original Offense:** Felon in Possession of a Firearm, in violation of 18 U.S.C. §§ 922(g)(1) and 924(e)(1)

**Original Sentence:** 180 Months Imprisonment; 60 Months Supervised Release

**Type of Supervision:** Supervised Release

**Date Supervision Commenced:** September 25, 2020

**Assistant U.S. Attorney:**

Nicholas M. Scott

**Defense Attorney:**

David R. Beneman, FPD

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**PETITIONING THE COURT**

- To issue a warrant/matter to be sealed pending arrest or until detainer is lodged.
- To issue a warrant/matter to be sealed pending arrest. Attachment to remain sealed after arrest.
- To issue a summons.

The probation officer believes that the offender has violated the following condition(s) of supervision:

**Violation Number**    **Nature of Noncompliance**

One	<b>In violation of special condition number two (2):</b> Defendant shall not use or possess any controlled substance, alcohol or other intoxicant; and shall participate in a program of drug and alcohol abuse therapy to the supervising officer's satisfaction. This shall include testing to determine if Defendant has used drugs or intoxicants. Defendant shall submit to one test within 15 days of release from prison and at least two, but not more than 120, tests per year to the supervising officer's satisfaction. Defendant shall not obstruct or tamper, or try to obstruct or tamper, in any way, with any tests.
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	<p>On <b>February 10, 2021</b>, the defendant submitted to a drug test, and the result was presumptively positive for <b>marijuana</b>. The defendant admitted he had been smoking marijuana on a regular basis.</p> <p>On <b>April 19, 2021</b>, the defendant disclosed that he had continued to use <b>marijuana</b>.</p> <p>On <b>July 21, 2021</b>, the defendant submitted to a drug test, and the result was presumptively positive for <b>marijuana</b>. The defendant admitted that he used marijuana.</p> <p>On <b>August 27, 2021</b>, the defendant submitted to a drug test, which resulted in a presumptively positive result for <b>marijuana</b>. The defendant admitted that he continued to use marijuana.</p>
Two	<p><b><u>In violation of the standard condition number one (1):</u></b> the defendant shall not leave the judicial district without the permission of the court or probation officer.</p> <p>As detailed below, the defendant was arrested in Melrose, Massachusetts on <b>October 22, 2021</b>, at approximately 10:33pm. The defendant did not have permission to leave Maine on that date.</p>
Three	<p><b><u>In violation of the Preamble:</u></b> The defendant shall not commit another federal, state, or local crime.</p> <p>As reflected in the Arrest Report prepared by the Melrose (MA) Police Department, on <b>October 22, 2021</b>, at approximately 10:33pm, the defendant was arrested and charged with three (3) counts of <b>Assault and Battery</b>, in violation of Massachusetts Penal Law § 265.13A.B, an offense which carries a maximum penalty of five (5) years.</p> <p>On <b>October 22, 2021</b>, at approximately 10:33pm, the defendant allegedly physically assaulted Arianna Perez-Wadland, Pamela Grant, and Kim Vip, by punching them in the face, causing injuries.</p>

**U.S. Probation Officer Recommendation:**

- The term of supervision should be:
  - revoked.
  - extended for {years} for a total of {years} years.
- the conditions of supervision should be modified as follows:

I declare under penalty of perjury the foregoing is true and correct.

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Executed on: October 25, 2021

Respectfully Submitted,



Laura A. Tait  
U.S. Probation Officer

Reviewed:



Bryce Turgeon  
Supervisory U.S. Probation Officer  
10/25/2021

**SUPERVISED RELEASE VIOLATION  
COVER SHEET**

**Name:** Kevin Murphy

**Y/O/B:** 1956

**Offense(s) of Conviction and Classification:** Possession of a Firearm by a Felon (Armed Career Criminal), a Class A felony.

**Original Sentence:** 180 Months Imprisonment; 60 Months Supervised Release

**Date Imposed:** April 13, 2009

**Available Penalties for Current Violation (with statutory reference);**

**Imprisonment:** 60 Months Imprisonment; 18 U.S.C. § 3583(e)(3)

**Additional Period of Release:** 60 Months Supervised Release less any term of imprisonment imposed; 18 U.S.C. § 3583(h)

Supervising U.S. Probation Officer  
Laura A. Tait